

MEMORANDUM

TO: All Principals, Superintendents, and Curriculum Coordinators
FROM: Deb Quackenbush, Director, General Supervision and Monitoring Division
SUBJECT: Policy Guidance on Home Study Students Requesting Virtual Learning Opportunities from their Home District
DATE: April 2014

Many schools in Vermont are taking part in the Vermont Virtual Learning Cooperative (VTVLC), the Vermont provider of online courses for schools (as well as other online provider programs). Questions have been fielded from the Agency of Education, VTVLC, and local schools by parents of home study students seeking information about how home study students might avail themselves of online courses in pursuit of their course of studies.

It is the practiceⁱ and expectation of the Vermont Agency of Education that all schools provide diverse opportunities for student success especially when that expectation is backed by an existing rule or statute. It has come to our attention that there has been some confusion with schools' interpretations of the rules and statutes governing home study students and their access to virtual courses.

The intended outcome of this letter is to encourage all schools to support home study students who request access to online programs, VTVLC in particular. In doing so, schools may leverage the ADM provisions as outlined in Act 119, (see below).

AOE's legal counsel has researched the matter and the following statutes and rules are cited to help to clarify some of the questions that have arisen:

[Title 16 § 563 \(24\) \(otherwise known as Act 119 of 1998\)](#)

The school board of a school district, in addition to other duties and authority specifically assigned by law:

(24) Shall adopt a policy which, in accordance with rules adopted by the state board of education, will integrate home study students into its schools through enrollment in courses, participation in co-curricular and extracurricular activities and use of facilities.

With the advent of [Act 77](#), the AOE's stance is to define "courses" as indicated above to mean ALL courses, whether virtual or face to face. Act 77 clearly defines virtual and blended learning as additional opportunities for all students:

"(3) to create opportunities for secondary students to pursue flexible pathways to graduation that:

(A) increase aspiration and encourage postsecondary continuation of training and education;

(B) are an integral component of a student's personalized learning plan; and

(C) include:

(i) applied or work-based learning opportunities, including career and technical education and internships;

(ii) virtual learning and blended learning" (emphasis added for this memo)

The State Board of Education's Manual of Rules and Practices, also specifically addresses [students enrolled in home study in series 4403](#) - Part-time Enrollment of Home Study Students in Public School Academic Programs:

4403.1

A home study student shall be eligible to enroll as a part-time student in a school operated by his or her district of residence or, if the district does not operate a school, in a public school for which his or her district of residence is required to pay tuition.

In this instance, because VTVLC, or any other online learning opportunity, is considered an extension of the school curriculum opportunities, it is considered to be operating within that district of residence.

The Rules and Practices continue:

4403.2

*Each school board shall adopt, by July 1, 1999, policies and procedures to ensure that home study students who request part-time enrollment are accepted into those courses or programs, and are furnished with required learning materials, **on the same basis as full-time students.** (emphasis added for this memo).*

4403.3

Policies and procedures adopted under this rule shall:

(a) upon inquiry by a home study student or parent, require the provision by the district of the student's residence of information concerning the availability of part-time enrollment in school.

Such information shall include procedures, including registration deadlines, that home study students must follow to enroll on a part-time basis in the schools operated by the home study student's district of residence. In the event the district of residence does not operate a school in

the grades appropriate to the inquiring student, the student or parents shall be given information on how to contact neighboring school districts that accept tuition students from the district of residence.

The *benefit to schools* in allowing home study students to attend virtual courses through their home district is defined in these areas from Act 119:

(From VPA Memorandum addressing Act 119 nuances from December 21, 2010)

A. Academic classes

A home study student taking academic classes at a public school is **counted as a part-time student**. ADM is calculated by the number of hours in weekly attendance divided by 27.5 hours.

B. Co-curricular or extracurricular participation

A student enrolled as a home study student pursuant to 16 V.S.A. § 166b, who is not a part-time student enrolled in academic programs, but who participates in one or more co-curricular or extracurricular activities at a public school, shall be counted as .03 of a full-time equivalent student for each activity in which he or she participates. For purposes of this provision, the reporting period shall be from beginning of the 41st day of a school year to the end of the 40th day of the following school year.

Questions on this matter can be directed to the Vermont Agency of Education, specifically the following individuals:

Online, Blended and Virtual Learning inquiries:

Peter Drescher, Education Technology Coordinator, 802-479-1169; peter.drescher@state.vt.us

Home Study inquiries:

Karen Agnew, Home Study Consultant, 802-479-1163; karen.agnew@state.vt.us

Brynne Reed, Home Study Consultant, 802-479-1233; brynne.reed@state.vt.us

ⁱ 3 V.S.A. § 801(b)(7) "Practice" means a substantive or procedural requirement of an agency, affecting one or more persons who are not employees of the agency, which is used by the agency in the discharge of its powers and duties. The term includes all such requirements, regardless of whether they are stated in writing;